

The Regular Meeting of the Troy City Planning Commission was called to order by Vice Chairman Littman at 7:30 p.m. on December 10, 2002, in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:

Kramer
Littman
Starr
Storrs
Waller

Absent:

Chamberlain
Pennington
Vleck
Wright

Moved by Waller

Seconded by Starr

RESOLVED, that Mr. Chamberlain, Ms. Pennington, Mr. Vleck and Mr. Wright be excused from attendance at this meeting.

Yeas

All present (5)

Absent

Chamberlain
Pennington
Vleck
Wright

MOTION CARRIED

Also Present:

Mark Miller, Planning Director
Susan Lancaster, Assistant City Attorney
Kathy Czarnecki, Recording Secretary

Vice Chairman Littman explained that approval for any agenda item will require affirmative votes from all five (5) members.

Vice Chairman Littman announced that the Commission is in receipt of a request from the petitioner to table agenda item #9, Rezoning Request for the Proposed Gas Station at the Northwest Corner of Wattles and Dequindre.

Moved by Kramer

Seconded by Starr

RESOLVED, to take agenda item #9 out of order.

Yeas

All present (5)

Absent

Chamberlain
Pennington
Vleck
Wright

MOTION CARRIED

REZONING REQUEST

9. PUBLIC HEARING - PROPOSED REZONING (Z-686) – Proposed Gas Station, Northwest Corner of Wattles and Dequindre, Section 13 – R-1C to H-S

Mr. Miller presented a summary of the Planning Department report for the proposed gas station. Mr. Miller stated that the subject property is very small in size (90' x 140') and, as such, is unbuildable as a service station. He further noted that the property has been recently involved in the City's purchase of right of way. The applicant's request to table this item was received by the Planning Department on December 6, after the Planning Commission packets were delivered. Mr. Miller commented that the Planning Department has received a number of written comments from residents who voiced opposition to this proposed rezoning.

In summary, Mr. Miller reported that the proposed request does not meet the Location Standards in the Zoning Ordinance, and it is the recommendation of the Planning Department to deny this rezoning request.

PUBLIC HEARING OPENED

There was no public comment.

Vice Chairman Littman stated that the public hearing will remain open until the next regularly scheduled meeting.

Moved by Starr

Seconded by Kramer

RESOLVED, that the Rezoning Request (Z-686), R-1C to H-S, for a proposed gas station on the northwest corner of Wattles Road and Dequindre Road, Section 13, be tabled until the next scheduled regular meeting on January 14, 2003.

Yeas

All present (5)

Absent

Chamberlain

Pennington

Vleck

Wright

Mr. Storrs commented that the petitioner's request to table the rezoning request is dated March 26, 1998.

MOTION CARRIED**2. PUBLIC COMMENTS**

There were no public comments.

SITE PLANS**3. PRELIMINARY SITE PLAN RENEWAL (SP-862) – Proposed Wattles Park Condominiums, South side of Wattles, between Finch and I-75, Section 21 – R-1T**

Mr. Miller presented a summary of the Planning Department report for the proposed Wattles Park Condominiums. Mr. Miller noted that the petitioner is providing two off-street parking spaces per residential unit. He said the vehicular access is provided from Finch Road and cross access easement is provided to the east and south of the development. Mr. Miller noted that the plan does not provide the required concrete sidewalk within the development to go across the asphalt driveways.

In summary, it is the Planning Department's recommendation to approve the site plan subject to the provision of the required concrete sidewalk within the development to go across the asphalt driveways.

Mr. Kramer questioned what revisions were made to the site plan since the Commission last approved it.

Mr. Miller noted there was a concern that the buildings would encroach the setback to the north, and a clarification was asked of the petitioner. He further noted that there were no substantial revisions to the plan.

Vice Chairman Littman asked if there is a provision for guest parking.

Mr. Miller responded that there is no designated visitor parking, but noted visitor parking is addressed in the proposed zoning ordinance text amendments for R1-T developments.

Vice Chairman Littman asked the Assistant City Attorney how the proposed zoning ordinance text amendments for R-1T zoning would affect this development should the amendments be approved.

Ms. Lancaster responded that if the zoning ordinance text amendments are approved, this development would be grandfathered in after it receives final site plan approval.

The petitioner, Joe Chehayeb of 755 W. Big Beaver #1275, Troy, was present. Mr. Chehayeb stated that most of the items on the checklist for the preliminary site plan approval have been completed, but it has become necessary to postpone the development due to the slow economy. Mr. Chehayeb explained that the revised site plan now shows box-type windows, as opposed to bay windows, per the Planning Department's request.

Discussion followed with respect to the differences in the two site plans. Mr. Starr shared his copy of the final site plan previously approved in which the plan details changes to the curbs, asphalt pavers and naming the entrance road.

Vice Chairman Littman opened the meeting for public comment.

There were no public comments.

Moved by Kramer

Seconded by Waller

RESOLVED, that the Preliminary Site Plan for Wattles Park Condominium, including 33 attached units and 6.05 acres in size, located on the south side of Wattles Road, between Finch Road and I-75, within Section 21 and the R-1T zoning district, is hereby granted, subject to the following conditions:

1. Concrete sidewalk within the development shall be provided across the asphalt driveways; and
2. Plan previously approved and dated April 2001 is substantially the same in terms of dimensions and setbacks.

Mr. Storrs stated that he is not comfortable voting in favor of this item when the revisions to the site plan are unclear.

Moved by Storrs

Seconded by Littman

RESOLVED, that the Preliminary Site Plan for Wattles Park Condominium, be tabled until the next regularly scheduled meeting and site plan comparisons are provided by the Planning Department.

Discussion followed.

Mr. Miller stated that there are no specific or additional conditions except for the provision of a cross access easement. He confirmed that the petitioner was very close to receiving final site plan approval except for escrow funds for public improvements. Mr. Miller stated that the Planning Department is confident that the plan in front of the Commission tonight is substantially the same plan previously submitted.

Mr. Storrs reviewed the resolution approved previously by the Planning Commission and withdrew his motion to table the item.

MOTION TO TABLE TAKEN OFF THE FLOOR

A vote was taken on the motion to grant the renewal for preliminary site plan approval subject to the two conditions.

Yeas

All present (5)

Absent

Chamberlain
Pennington
Vleck
Wright

MOTION CARRIED

Moved by Kramer

Seconded by Waller

FURTHER RESOLVED, that the Planning Commission hereby recommends to City Council that the private street system proposed to serve Wattles Park Condominium, located on the south side of Wattles Road, between Finch Road and I-75, within Section 21 and the R-1T zoning district, be approved in accordance with the Preliminary Site Plan presented on this date and in accordance with the provisions of Section 12.50.04 of the Zoning Ordinance, subject to the provision of street, sidewalk, and utility easements as determined to be necessary by City Management, and subject further to the provision of a cross-access easement extending from Finch Road to the east and south property lines, subject to the following conditions:

1. Concrete sidewalk within the development shall be provided across the asphalt driveways; and
2. Plan previously approved and dated April 2001 is substantially the same in terms of dimensions and setbacks.

Yeas

All present (5)

Absent

Chamberlain
Pennington
Vleck
Wright

MOTION CARRIED

4. PRELIMINARY SITE PLAN RENEWAL (SP-866) – Proposed River Bend Condominiums, South side of Long Lake, West of Rochester Rd., Section 15 – CR-1

Mr. Miller presented a summary of the Planning Department report for the proposed River Bend Condominiums. Mr. Miller noted that the applicant received Preliminary Site Plan Approval on November 13, 2001 and is proposing a total of 14 attached single-family condominiums on 4.54 acres, a density of 3.1 units per acre.

Mr. Miller noted that the conditions cited for the previously submitted site plan in 2001 have been provided to the Commission. Mr. Miller reported that two off-street parking spaces per unit have been provided, and there is no designated visitor parking within the development. Mr. Miller said the applicant is proposing to put a detention pond on the southeast corner of the property, northeast of Unit 14. He further noted wetlands in the western portion of the property that may require a MDEQ wetlands permit and woodlands along the eastern and southern portions of the property. Mr. Miller said the applicant is proposing a private road system with a sidewalk along all of the frontages of the condo units.

In summary, the plan meets all zoning ordinances and it is the recommendation of the Planning Department to approve the Preliminary Site Plan application, subject to protecting any preserved trees with a snow fence and prohibiting trench footings for any fencing or walls.

The petitioner, Joe Chehayeb of 755 W. Big Beaver, Suite 1275, Troy, was present. Mr. Chehayeb requested an extension on the Preliminary Site Plan renewal that expired November 14, 2002.

Mr. Kramer questioned if livable square footage or total square footage is taken into consideration for site condo coverage.

Mr. Miller responded the total square footage of the site is considered.

Mr. Storrs asked the petitioner if he had concerns with any conditions the Planning Commission is requiring.

Mr. Chehayeb answered in the negative.

Moved by Storrs

Seconded by Waller

RESOLVED, that the Preliminary Site Plan for River Bend Condominium, including 14 attached units and 4.54 acres in size, located on the south side of Long Lake Road, and west of Rochester Road, within Section 15 and the CR-1 zoning district, is hereby granted.

FURTHER RESOLVED, that the Planning Commission hereby recommends to City Council that the private street system proposed to serve River Bend Condominium, located on the south side of Long Lake Road and west of Rochester Road, within

Section 15 and the CR-1 zoning district, be approved in accordance with the Preliminary Site Plan presented on this date and in accordance with the provisions of Section 12.50.04 of the Zoning Ordinance.

FURTHER RESOLVED, the following design recommendations are provided to City Management:

1. Any trees that are to be preserved shall be protected by a snow fence, placed at the drip line of the protected trees; and
2. Trench footings will be prohibited for any fencing or walls.

Yeas

All present (5)

Absent

Chamberlain
Pennington
Vleck
Wright

MOTION CARRIED

5. PRELIMINARY SITE PLAN REVIEW (SP-183) – Proposed Retail/Restaurant Development (former Denny's Restaurant), North of Big Beaver, West side of Crooks, Section 20 – B-3

Mr. Miller presented a summary of the Planning Department report for the proposed retail/restaurant development, formerly Denny's Restaurant. Mr. Miller stated that the applicant is proposing to demolish the existing building and construct a restaurant building with three tenants. Mr. Miller noted the proposed parking exceeds requirements, the traffic circulation is proposed away from the existing driveways, and vehicular cross access is proposed along the southern border in two locations.

Mr. Miller reported that this area is known to have traffic problems because of the poorly designed property to the south. He further noted that the petitioner has unsuccessfully sought the cooperation of property owners to work together on the improvement of this location. The applicant is proposing a pedestrian connection to the southern property that encourages safer pedestrian traffic. Mr. Miller noted that the site plan also allows for outdoor seating.

In summary, Mr. Miller said the petitioner has worked with the Planning Department to provide a well-designed plan that was brought before the Commission at its last Special/Study Meeting. The site plan meets all requirements of the zoning ordinances and it is the recommendation of the Planning Department to approve the site plan as submitted.

Vice Chairman Littman asked if the plan has been revised since its review at the Special/Study Meeting.

Mr. Miller replied that the applicant has provided additional pedestrian access to the south, has provided more green area, has allowed for wider walkways in the front and has made provisions for outdoor seating.

Mr. Kramer asked if there is any requirement to provide the proper grading to the parcels to the west.

Mr. Miller stated that discussions have been held between the petitioner and the DDA to insure appropriate grading to the west. He confirmed that the grades must be equalized to provide vehicular cross access.

Mr. Storrs questioned what the dashed line is around the building and sidewalk, and if the plan provides cross access to the south on the Crooks Road side.

Mr. Miller replied that the dashed line is a fire lane where no parking is allowed. He confirmed that the site plan does not indicate cross access to the south on the Crooks Road side and should be addressed by the applicant.

The petitioner, Mr. Michael Boggio of 30100 Telegraph Road, Franklin, was present. Mr. Boggio stated that it is his intent to provide cross access easement on both sides of the property. He further confirmed that the plan has been revised to incorporate a softer appearance to the site, some parking spaces were relocated to introduce a planting strip between the two aisles of parking, the front walkway was widened to ten feet and foundation plantings were placed, and the loading area was rearranged resulting in additional parking spaces. Mr. Boggio noted that the size of the trash enclosure is bigger and plantings have been placed near the pedestrian access to the south.

Mr. Boggio displayed exterior elevations, explaining that the restaurants will have individual identity through trim colors and awnings. A blown-up photo of the proposed restaurant *Potbellies* shows it as a very tasteful and quality restaurant operation.

Mr. Kramer questioned the grade differences for cross access purposes and how it might be accomplished in the future. Mr. Kramer thinks the grade consolidation may have to be done at this time.

Mr. Boggio replied that Doug Smith has assured him that the DDA is willing to discuss funding terms to resolve the grade issue, but details have not been worked out.

Mr. Harvey Weiss of 525 E. Big Beaver, Troy, representative for the development firm, was present. Mr. Weiss said that Doug Smith has brought the grade issue to the attention of the DDA and it is his understanding that the DDA is willing to get involved. Mr. Weiss indicated his willingness to provide a cross access agreement

to the community now and easements can be put into place as other sites are developed.

Vice Chairman Littman questioned the Assistant City Attorney with respect to the petitioner having a legal commitment to match the grades for cross access agreement.

Ms. Lancaster replied that there is no ordinance that would legally bind the petitioner, and further stated there is no mechanism through the City's ordinance to resolve this problem.

Mr. Kramer asked if a determination by the engineering department has been made on the grade issue.

Mr. Miller responded that the engineering department has not been contacted.

Further discussion was held with respect to getting a design recommendation from the engineering department on the grading for this particular parcel. It was the consensus of the Commission that the best time to get a grade alignment on the parcel is when the building is demolished and that the grade alignment might have an affect on water retention or water movement.

Mr. Weiss asked the Commission to assume that the DDA will cooperate in resolving the grade and cross access issues; and in the contrary, then he would come back before the Planning Commission.

Vice Chairman Littman opened the meeting for public comment.

There was no public comment.

Moved by Waller

Seconded by Kramer

RESOLVED, that Preliminary Site Plan Approval, as requested for proposed retail/restaurant development (former Denny's Restaurant), located north of Big Beaver Road and on the west side of Crooks Road, located in section 20, within the B-3 zoning district, is hereby granted, subject to the following conditions:

1. Creation of two cross access easements to and from Crooks Road, located on the northerly and southerly areas of the south property line; and
2. That this site plan be brought back before the Planning Commission for further review and decision if parties fail to resolve grading and cross access matters.

FURTHER RESOLVED, the following design recommendations are provided to City Management:

1. City management, DDA and applicant work together to implement cross access easement agreements and to match grade with the property on the south; and
2. Properly enable future redevelopment of the quadrant as reflected on the drawing.

Yeas

All present (5)

Absent

Chamberlain

Pennington

Vleck

Wright

MOTION CARRIED

6. PRELIMINARY SITE PLAN REVIEW (SP-849) – Grace Christian Learning Center Proposed Parking Lot Expansion, North of Big Beaver, East side of John R, Section 24 – P-1

Mr. Miller presented a summary of the Planning Department report for the proposed parking lot expansion at Grace Christian Learning Center. Mr. Miller stated that the applicant is proposing to develop a 30-space parking lot on the 31,439 square foot of property. The parcel is unimproved but is currently being used by the petitioner to accommodate the larger demand for parking. Mr. Miller confirmed that the required residential setback and screen wall have been provided. Mr. Miller stated that the driveway entrance is located in the north area of the parcel. It was considered to align this drive with the Troy Sports Center; however, the Traffic Engineer did not require this. Mr. Miller brought attention to the fact that the day care facility currently cares for 145 children, which translates into a need for a total of 21,750 square feet of outdoor play area; therefore, the applicant must provide for an additional 11,850 square feet of fenced outdoor play area.

The applicant, Rick Howard of 2057 E. Big Beaver, Troy, was present. Mr. Howard confirmed that it is his staff parking along John R.

Mr. Starr questioned the use of the neighboring dumpster.

Mr. Howard stated he does not use the neighboring dumpster, but confirmed a concrete block footpath from that dumpster to the day care facility is used by some children as they approach the day care facility.

Mr. Howard questioned the procedure to follow if he wanted to apply for a variance on the construction of the required additional play area.

Mr. Miller explained that the additional play area is required for the approval by the Planning Commission, but that the applicant can request a variance through the Board of Zoning Appeals.

Moved by Kramer

Seconded by Storrs

RESOLVED, that Preliminary Site Plan Approval, as requested for proposed Grace Christian Learning Center Parking Lot Expansion, located north of Big Beaver Road and on the east side of John R Road, located in section 24, within the P-1 zoning district is hereby granted, subject to the following conditions:

1. An 11,850 square foot fenced play area shall be developed south of the parking lot, to the west of the existing Learning Center.

Yeas

All present (5)

Absent

Chamberlain

Pennington

Vleck

Wright

MOTION CARRIED

SPECIAL USE REQUESTS

7. PUBLIC HEARING – SPECIAL USE REQUEST (SU-318) – Boys & Girls Club of Troy, North of Big Beaver and East side of John R, Section 24 – R-1C

Mr. Miller presented a summary of the Planning Department report for the proposed special use by the Boys & Girls Club. Mr. Miller noted that the 2.28-acre parcel is presently vacant. On October 15, the applicant received from the Board of Zoning Appeals a variance to construct a building that is 30 feet in height. Mr. Miller stated that the applicant also received variances from the Board of Zoning Appeals on November 19 for the required 50-foot wide landscape area adjacent to residential districts and the required masonry screen wall along parking areas adjacent to residentially zoned property. Further, the applicant received approval from City Council on December 2 to reduce the number of parking spaces to 82 spaces.

Mr. Miller noted there is an error in the Planning Department's report. He clarified the drive to the south is a one-way entrance drive, and the drive to the north is exit only.

In summary, the Planning Department agrees that the site plan meets all zoning ordinance requirements and recommends approval of the Special Use Request and Site Plan as submitted, subject to constructing an eight (8) foot wide sidewalk on the east side of John R Road, as required by the engineering standards.

The applicant, Elizabeth Musyk of Ehresman Associates, 803 W. Big Beaver, Suite 350, Troy, was present. Ms. Musyk stated that they have worked very closely with

both the City and neighbors to provide a well-designed site plan, and that she is available for questions.

Mr. Starr questioned the diagonal lines on the drawings.

Ms. Musyk replied that the diagonal lines designate the skylight that is going through the center of the building.

Mr. Starr asked if the dumpster could be placed nearer to the building.

Ms. Musyk responded that the dumpster is placed to allow the best maneuverability of trash pickup, and further explained that the dumpster is located next to where the children will be walking on the sidewalk.

Mr. Waller asked if painted arrows would be placed on the pavement to indicate the flow of traffic.

Ms. Musyk answered in the affirmative.

Mr. Kramer questioned the placement of outside lighting.

Ms. Musyk indicated that light fixtures have yet to be selected, but further indicated that the lighting will not interfere with adjacent neighbors. Ms. Musyk confirmed that the light level will be low and will be shielded if necessary.

Mr. Storrs commented that it his feeling there will be problems with the entrance/exit only traffic flow.

Mr. Miller suggested that the Commission grant approval of the site plan subject also to the condition of shielding lights from adjacent residential property.

PUBLIC HEARING OPENED

No one was present to speak.

PUBLIC HEARING CLOSED

Moved by Waller

Seconded by Storrs

RESOLVED, that Special Use Approval, pursuant to Section 10.30.07 of the Zoning Ordinance, as requested for the Boys and Girls Club of Troy, for the proposed private non-commercial recreational center, located north of Big Beaver Road and on the east side of John R Road, located in section 24, within the R-1C zoning district, is hereby granted, subject to the following conditions:

1. Constructing an eight (8) foot wide sidewalk on the east side of John R Road as required by the City of Troy Engineering Standards; and

2. Exterior light fixtures will be designed that the “hot spot” of the light will not be visible to the abutting properties.

FURTHER RESOLVED, that Preliminary Site Plan Approval, as requested for the Boys and Girls Club of Troy, for the proposed private non-commercial recreational center, located north of Big Beaver Road and on the east side of John R Road, located in section 24, within the R-1C zoning district, is hereby granted, subject to the following conditions:

1. Constructing an eight (8) foot wide sidewalk on the east side of John R Road as required by the City of Troy Engineering Standards; and
2. Exterior light fixtures will be designed that the “hot spot” of the light will not be visible to residential property.

Yeas

All present (5)

Absent

Chamberlain
Pennington
Vleck
Wright

MOTION CARRIED

8. PUBLIC HEARING – SPECIAL USE REQUEST (SU-313) – Trainers Obedience Center, East of Livernois, South of Maple, Section 34 – M-1

Mr. Miller presented a summary of the Planning Department report for the proposed Special Use request for Trainers Obedience Center. Mr. Miller stated that the City became aware the petitioner started a pet day care facility without the proper approval. The violation by the Building Department was held in abeyance. Mr. Miller said that no site plan has been approved, and that this is the third public hearing scheduled for this matter. He indicated that all the proper documents have not been submitted, and that the petitioner has not responded to any of the Planning Department's attempts to contact him.

In summary, it is the recommendation of the Planning Department to deny the Special Use request. Mr. Miller asked the Assistant City Attorney to explain why this item requires a Special Use request.

Ms. Lancaster explained that this pet use is no different than a kennel, except possibly the length of stay by the pet. Ms. Lancaster stated that a person would be dropping off his pet for the normal work day hours, which is considered the same situation as dropping a pet off for two to three days at a kennel.

The petitioner, Elerious King, was not present.

The public hearing remained opened from the last regularly scheduled meeting.

PUBLIC HEARING OPENED

There was no public comment.

PUBLIC HEARING CLOSED

Moved by Starr

Seconded by Kramer

RESOLVED, that Special Use Approval, pursuant to Section 28.30.08 of the Zoning Ordinance, as requested for the Trainers Obedience Center, for the proposed commercial kennel and accessory use, located east of Livernois Road and south of Maple Road, located in section 34, within the M-1 zoning district, is hereby denied, for the following reason:

1. No proper site plan or appropriate documents have been submitted.

Moved by Waller

RESOLVED, that Special Use Approval as requested for the Trainers Obedience Center be tabled.

Mr. Waller feels it is best to make contact with the petitioner to hear his case.

There was no second to the motion on the floor.

MOTION TO TABLE FAILED FOR LACK OF A SECOND

Vice Chairman Littman questioned if a motion to deny requires all five votes.

Ms. Lancaster clarified that the Commission needs five affirmative votes for approval only, but it is not a requirement to obtain all five votes for a denial motion. Ms. Lancaster stated that this matter is in litigation before the District Court because the facility is continuing to operate without a valid approval by the Commission. She indicated that delaying this matter further might have some affect on the impending litigation.

Mr. Miller feels the petitioner is not submitting the required plans because improvements are required to meet zoning ordinances.

VOTE ON THE MOTIONYeas

Littman

Kramer

Starr

Storrs

Nays

Waller

Absent

Chamberlain

Pennington

Vleck

Wright

MOTION CARRIED**REZONING REQUEST**

10. PUBLIC HEARING - PROPOSED REZONING (Z-521) – Proposed Office Use, North of Long Lake and East side of John R, Section 12 – R-1C to O-1

Mr. Miller presented a summary of the Planning Department report for the proposed rezoning request. Mr. Miller noted that this parcel was zoned to single family to permit the former day care center. Mr. Miller indicated that the Future Land Use Plan designates the northeast corner of the Long Lake/John R intersection, on the west side of the Gibson Drain, as Community Service Area and this plan correlates the Community Service Area designation.

In summary, it is the recommendation of the Planning Department to approve the rezoning request because it is consistent with the Future Land Use Plan and is compatible with the existing zoning districts and land uses.

Andrew Kaltsounis of 6798 Jasmine, Troy, was present to represent the petitioner.

Mr. Storrs asked the petitioner to treat the Gibson Drain as an amenity to the development.

PUBLIC HEARING OPENED

There was no public comment.

PUBLIC HEARING CLOSED

In response to Vice Chairman Littman, Mr. Kaltsounis replied they are proposing office development, not day care, for this site.

Moved by Waller

Seconded by Starr

RESOLVED, that the Planning Commission hereby recommends to the City Council that the R-1C to O-1 rezoning request located north of Long Lake Road and on the east side of John R Road within Section 12, being 24,900 square feet/0.57 acres in size, be granted.

Yeas

All present (5)

Absent

Chamberlain

Pennington

Vleck

Wright

MOTION CARRIED**ZONING ORDINANCE TEXT AMENDMENT****11. PUBLIC HEARING - PROPOSED ZONING ORDINANCE TEXT AMENDMENT (ZOTA 194) – Articles 12.00.00 & 30.10.08 R-1T One Family Cluster**

Mr. Miller gave an overview of the proposed zoning ordinance text amendment, R-1T One Family Cluster. The amendments to R-1T zoning districts include Section 12.50.05 addressing pedestrian and non-motorized users; Section 12.50.07 addressing snow removal; Section 12.50.08 addressing guest parking; and Section 12.50.09 addressing traffic circulation.

Mr. Kramer asked if the proposed amendments apply to condo minimum and site condo minimum developments.

Mr. Miller stated that site condo minimum developments are normally submitted in one family districts that follow subdivision rules. Mr. Miller noted that problems could arise with the multi family districts (CR-1), citing River Bend as an example. Mr. Miller said that the Planning Department has been given direction from City Council to review CR-1 zoning districts.

Mr. Kramer asked what the requirement is for guest parking in R-1T.

Mr. Miller responded the requirement is two spaces per unit, noting there are no spaces for guests currently.

Mr. Starr questioned what form of snow removal would be used.

Mr. Miller replied there would be designated areas in which to pile the snow.

PUBLIC HEARING OPENED

There was no public comment.

PUBLIC HEARING CLOSED

Moved by Starr

Seconded by Storrs

RESOLVED, that the Planning Commission hereby recommends to the City Council that the Articles 12.00.00 & 30.10.08, of the Zoning Ordinance, be amended to read as follows:

*R-1T One Family Attached Residential District
Development Standards*

Amend the indicated portions of the R-1T One Family Attached Residential District and the Schedule of Regulations – Residential text in the following manner:

(Underlining, except for major section titles, denotes changes.)

12.50.00 DEVELOPMENT STANDARDS:

12.50.01 All units that abut a major thoroughfare shall have a rear or side yard relationship to said thoroughfare, and such yards shall not be less than fifty (50) feet in depth as measured from the right-of-way line of the thoroughfare as indicated on the Master Thoroughfare Plan. The Planning Commission may modify the dwelling unit orientation, or relationship to a major thoroughfare, when they determine that the parcel size and configuration are such that the rear or side yard relationship would be impractical or overly restrictive, and a more desirable residential environment can be created by permitting a front yard relationship to the thoroughfare.

All units that abut a freeway shall have a yard setback of not less than seventy-five (75) feet in depth as measured from the right-of-way line of the freeway.

All units that abut a secondary thoroughfare shall have a yard setback of not less than fifty (50) feet in depth as measured from the right-of-way line of the thoroughfare as indicated on the Master Thoroughfare Plan.

(Rev. 4-10-00)

12.50.02 No more than three (3) contiguous one family attached dwelling units may occupy the same horizontal front line, without offset. Beyond this limit, the horizontal front line of the abutting units shall be offset a minimum of four (4) feet.

- 12.50.03 In the course of reviewing plans for development, the Planning Commission may require that the dwelling unit elevations and orientation be modified or varied in order to minimize the repetitive visibility of garage entrances from the street at the front of the units.

(4-12-99)

- 12.50.04 Principal access and circulation through One-Family Attached Residential Developments, on sites over ten (10) acres in area, shall be provided by Public Streets constructed to City Standards, within sixty (60) foot wide rights-of-way. Secondary access and circulation through such developments, on which some of the residential buildings may have their sole frontage, may be provided by twenty-eight (28) foot wide streets constructed to City Public Street Standards, within forty (40) foot Private Street Easements. Five (5) foot easements for sidewalk and public utility purposes shall also be provided, adjacent to the private street easements. Building setbacks from the private street easements shall be the same as those required by this Chapter in relation to public streets.

Principal access to a One-Family Attached Residential Development of ten (10) acres or less in area may be provided by way of twenty-eight (28) foot wide streets constructed to City Public Street Standards, within forty (40) foot Private Street Easements, when in the opinion of the City Council the property configuration is such that the provision of sixty (60) foot public rights-of-way would be overly restrictive and would make the provision of desirable dwelling unit sites impractical. Five (5) foot easements for sidewalk and public utility purposes shall also be provided, adjacent to the private street easements. Building setbacks from the private street easements shall be the same as those required by this Chapter in relation to public streets.

The pavement width for private street elements may be reduced to twenty-four (24) feet, subject to the condition that the residential buildings shall be equipped with an automatic fire suppression system acceptable to the Troy Fire Department.

The street system in all developments involving private streets shall be subject to the review and approval of the City Council, after receiving a recommendation from the Planning Commission. The City Council's approval of private street elements shall be subject to their finding that the street system will provide for safe and efficient access for emergency and service vehicles throughout the development. The City Council's action shall further be conditioned on the execution of an Agreement with the developer, ensuring private ownership and

maintenance of the private street elements, and precluding acceptance for maintenance of the private street elements by the City.

All entrances to major or secondary thoroughfares shall include deceleration and passing lanes as required by the City Development Standards.

(Rev. 5-1-00)

- 12.50.05 All developments shall include a sidewalk system which will enable pedestrian movement to and throughout the site, including sidewalks along any abutting public street frontage. **To ensure safety and convenience for pedestrians and other non-motorized users, sidewalk and trail systems within the development shall be connected to existing and planned sidewalk and trail systems that are located outside of the development.**

(4-12-99)

- 12.50.06 See Section 39.95.00 of the General Provisions for the regulations applicable to construction of buildings and uses in this District when the site falls within a designated Flood Hazard Area.

(Rev. 4-12-99)

- 12.50.07 The Preliminary Site Plan shall include a Snow Removal Plan which demonstrates how snow will be removed from streets and sidewalks within the development, and disposed of. Such Snow Removal Plan shall include proposed winter parking patterns, the proposed method used to remove snow, and the location, size and design of snow storage areas.**

- 12.50.08 Guest parking shall be accommodated within the development at a ratio of one (1) guest parking space for every five (5) required off-street parking spaces. Guest parking spaces shall be clearly marked on the site plan.**

- 12.50.09 To improve traffic circulation within the development and surrounding area, the Planning Commission may require that an internal street be connected with an existing abutting stub street or cross access easement. The Planning Commission may require that a development provide one (1) or more cross access easements for the purpose of a potential future connection to an abutting property or street. The Planning Commission may require two (2) or more abutting developments to share one (1) common access drive.**

12.50.10 Developments abutting residentially zoned property shall maintain the following perimeter setbacks:

- A. Adjacent to R-1A: 45 feet.**
- B. Adjacent to R-1B: 45 feet.**
- C. Adjacent to R-1C: 40 feet.**
- D. Adjacent to R-1D: 40 feet.**
- E. Adjacent to R-1E: 35 feet.**

Yeas

All present (5)

Absent

Chamberlain
Pennington
Vleck
Wright

MOTION CARRIED

ADJOURN

The Regular Meeting of the Planning Commission was adjourned at 9:35 p.m.

Respectfully submitted,

Mark F. Miller AICP/PCP
Planning Director